

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 13, 2018

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Francis Joe Rodriguez

Case Number: 0980 1:15CR02028-SAB-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Date of Original Sentence: November 14, 2017

Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. §§ 841(a)(1), (b)(1)(c) and 846

Original Sentence: Prison - 366 days;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ben Seal

Date Supervision Commenced: March 21, 2018

Defense Attorney: Jeremy Sporn

Date Supervision Expires: March 20, 2021

PETITIONING THE COURT

To issue a summons and to incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on May 10 and July 2, 2018.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

4

Special Condition #4: You must undergo a substance abuse evaluation and if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On May 8, 2018, Mr. Rodriguez signed a Waiver of Hearing to Modify Conditions of Supervised Release and agreed to abide by Special Condition #4, listed above.

On July 10, 2018, this officer contacted Merit Resource Services (Merit), to check on the status of Mr. Rodriguez' compliance with substance abuse treatment. Merit could not confirm or deny if the client was currently in treatment. On July 11, 2018, Mr. Rodriguez informed this officer he revoked his release of information between the United States Probation Office and Merit. Merit will not communicate with U.S. Probation about his treatment progress and drug testing results. Due to Mr. Rodriguez revoking his release of information, he is choosing not to comply with special condition #4.

Re: Rodriguez, Francis Joe

July 12, 2018

Page 2

The U.S. Probation Office respectfully recommends the Court incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on May 10 and July 2, 2018. Mr. Rodriguez is currently scheduled to appear for an initial appearance for supervised release violations on July 18, 2018, in Yakima, Washington.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 12, 2018

s/Phil Casey

Phil Casey
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

July 13, 2018

Date